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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

LISA VAUGHN,
Plaintiff

CIVIL DOCKET NO. 1:22-CV-03559

VERSUS

JUDGE DONALD E. WALTER

STATE FARM FIRE AND CASUALTY COMPANY ET AL,
Defendants

MAGISTRATE JUDGE PEREZ-MONTES

REPORT AND RECOMMENDATION

In this case, the last progress initiated by Plaintiff Lisa Vaughn occurred on November 30, 2023 – nearly nine months ago. On that day, Vaughn filed a “Motion for New Hearing” after having failed to appear for a scheduled hearing. ECF No. 22. In granting Vaughn’s motion, the Court cautioned her that failure to comply with Court orders or to otherwise prosecute the case may result in the imposition of sanctions, including dismissal. The record reflects no action since, either to request a hearing date or to otherwise prosecute the action.

LR41.3 of the Local Rules of the Western District of Louisiana provides that an action may be dismissed “where [it] has been pending six months without proceedings being taken . . . [unless] the cause is awaiting action by the court.” Here, those conditions are met, and with emphasis given the Court’s previous warning regarding this issue.

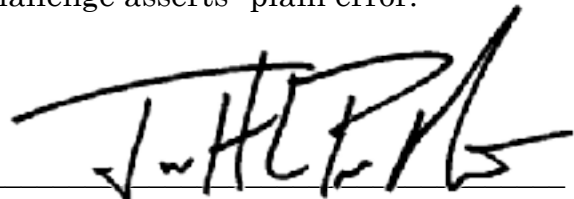
Accordingly;

IT IS RECOMMENDED that this lawsuit in its entirety be DISMISSED WITHOUT PREJUDICE for failure to prosecute.

Under 28 U.S.C. § 636(b)(1)(c) and Fed. R. Civ. P. 72(b), a party may file written objections to this Report and Recommendation within 14 days of service, unless the Court grants an extension of time to file objections under Fed. R. Civ. P. 6(b). A party may also respond to another party's objections to this Report and Recommendation within 14 days of service of those objections, again unless the Court grants an extension of time to file a response to objections.

No other briefs may be filed without leave of court, which will only be granted for good cause. A party's failure to timely file written objections to this Report and Recommendation will bar a party from later challenging factual or legal conclusions adopted by the District Judge, except if the challenge asserts "plain error."

SIGNED on Friday, August 23, 2024.

A handwritten signature in black ink, appearing to read 'J. H. L. P. M.', written over a horizontal line.

JOSEPH H.L. PEREZ-MONTES
UNITED STATES MAGISTRATE JUDGE